



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------|-------------|----------------------|---------------------|------------------|
| 10/814,520 | 03/31/2004 | Patrick Chiu | FXPL-01092US0 | 6922 |
| 23910 | 7590 | 05/12/2008 | | |
| FLIESLER MEYER LLP | | | EXAMINER | |
| 650 CALIFORNIA STREET | | | HASSAN, RASHIEDUL | |
| 14TH FLOOR | | | | |
| SAN FRANCISCO, CA 94108 | | | ART UNIT | PAPER NUMBER |
| | | | 2179 | |
| | | | | |
| | | | MAIL DATE | DELIVERY MODE |
| | | | 05/12/2008 | PAPER |
| | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | |
|------------------------------|--------------------------------------|------------------------------------|
| Office Action Summary | Application No. 10/814,520 | Applicant(s) CHIU ET AL. |
| | Examiner RASHEDUL HASSAN | Art Unit 2179 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 07 February 2008.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-3,8,9,11,12,18-22,29-32 and 40-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-3,8-9,11-12,18-22,29-32 and 40-55 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/07/2008 has been entered.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-3, 8-9, 11-12, 18, and 40-47 are rejected under 35 USC § 101 for being directed to non-statutory subject matter.

Claim 1 is recited as a system. The preamble recites that the system is intended to support multimedia content browsing on mobile devices. However, the mobile devices are not positively recited in the body of the claim to require them to be part of the system. The claim requires only the following components for the claimed system: (a) a multimedia content database (b) a processing component (c) a browsing component, and (d) a transparent widget layer. As for (a), a multimedia content database is mere collection of non-functional descriptive material. As for (d), a

transparent widget layer is at best nothing more than software per se. As for (b) and (c), the instant specification does not provide any explicit (i.e., limiting) definition for "a processing component" and "a browsing component" respectively. However, it provides few examples wherein physical devices are recited to be used as the "processing component" and the "browsing component" (see [0036]). But, referring to Fig. 1, the instant specification also mentions, "It will be apparent to those skilled in the art that the objects/processes portrayed in this figure can be arbitrarily combined or divided into separate software, firmware, and/or hardware components" (see [0017]). The objects illustrated in Fig. 1 include the "processing component 107" and the "browsing component 101". Accordingly, a person of ordinary skill in the art can reasonably interpret the components to be software per se. Accordingly the recited system requires either non-functional descriptive material or functional descriptive material per se, and does not recite any physical component or device in the body of the claim to be a "machine" under the meaning of 35 U.S.C. 101. As such, although the claim recites a "system", in reality the system can reasonably be interpreted at best to be nothing more than functional descriptive material without any expressed combination in the body of the claim with an appropriate computer readable medium so as to be structurally and functionally interrelated to the medium and permit the functionality of the descriptive material to be realized. Therefore, claim 1 has been rejected as being directed to non-statutory subject matter under the meaning of 35 U.S.C 101.

Claims 2-3, 8-9, 11-12, 18, and 40-47 depends from claim 1 and fails to cure the deficiency of claim 1 as mentioned above. Therefore, claims 2-3, 8-9, 11-12, 18, and 40-47 are also rejected for being directed to non-statutory subject matter along with claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-3, 8-9, 11-12, 18-22, 29, 32, 40-44, and 48-55, are rejected under 35 U.S.C. 103(a) as being unpatentable over Shen et al. (US 2004/0221322 A1) hereinafter Shen, in view of Tomita et al. (US 2003/0090495 A1) hereinafter Tomita, further in view of Plow et

al. (US 6,429,883 B1) hereinafter Plow, Smith (US 5,933,141) hereinafter Smith, and Frank et al. (US 5,651,107) hereinafter Frank.

For claims 1, 11, 19, 22, 29, and 32, Shen teaches ***multimedia content browsing on mobile devices, comprising:***

a multimedia content database;
a processing component which searches for and retrieves two or more multimedia contents from the multimedia content database, wherein the processing component transmits the two or more multimedia contents to a browsing component over a communication network (e.g., Shen mentions, "FIG. 1A shows a video browsing device 100 according to one embodiment of the present invention. It should be appreciated that the video browsing device 100 (e.g., personal digital assistant (PDA), computer/monitor, notebook) possesses a video data processing functionality which allows system users to browse video content. According to one embodiment, the video content may be supplied from an internal source (e.g., memory, storage component, etc.) that is locally resident in the video browsing device 100. According to another embodiment, an external source (e.g., a server, etc.) is employed to supply the video content." see [0022]. That is, according to one interpretation, a storage device at an external server constitutes "***a multimedia content database***", wherein the server or the

functionality at the server that supplies the multimedia content to the browsing device 100, i.e., to the "*browsing component*", constitutes the "*processing component*". The "search" and "retrieve" functionalities are implicit in the reference as such functionalities are necessarily performed by the external server in order to acquire the multimedia contents from the storage device);

said browsing component which renders the two or more multimedia contents on two or more content layers (e.g., Fig. 3A shows rendering two or more multimedia contents using two content layers. See [0045]. Furthermore see text overlay utilization discussed in [0058]).

Shen does not explicitly teach ***wherein the two or more content layers always overlap each other in totality within a single display area, and wherein the display area for the content layers is not moved or stretched in the x-y plane by users' instruction.*** However, Tomita teaches this limitation. Tomita teaches an information display terminal and corresponding information display method targeted to multimedia, which can realize an appreciation of texts and other individual objects, such as images, tables, and pictures, contained in contents of media-rich webs in a proper and simple manner at any place (see [0010]). He mentions, "In mobile terminal devices, such as portable telephones, wherein the display area is limited, contents such that priority has been given to design in which texts, images, tables, pictures and the like are freely utilized, as seen in ordinary webs, cannot be properly displayed in the originally contemplated form even when the mobile

terminal devices have the function of displaying individual element objects" (see [0006]). To solve this shortcoming of displaying multimedia contents using limited display area of a mobile terminal, Tomita employs a folding processing and mentions, "The text is displayed in a display layer different from other element object. For example, the text is displayed in a display layer 1, and an element object other than the text is displayed in a display layer 2. The whole image can be provided by displaying the display layer 1 and the display layer 2 in a superimposed state" (see [0072]). He teaches displaying on the display unit 17 (refer to Fig. 1), text in the original design, and element objects other than the text, such as images, tables, voice information, or pictures by simple icon (see [0074]). When a user desires to see a more detailed display of the element objects other than the text, a specific icon is selected and enlarged (see [0075-0077]). Tomita mentions, "Upon the determination of the object to be enlarged, the screen overlapping part 14 performs rendering processing based on the maximum size of the display area of the display unit 17, transmits the enlarged element object to the display layer 3, and performs a display in such a state that the layer 3 is superimposed on the layer 1 and the layer 2 and the background is opaque. The three display layers, the display layer 1, the display layer 2, and the display layer 3, are superimposed on

top of one another, and the user sees only the display layer 3 which is the uppermost display layer.

In such a state that the element object is displayed in an enlarged state, the control unit 16 does not permit scrolling or other processing. The control unit 16 permits ordinary window operation only after return to the original state (screen on which the simple icon is displayed)". See [0078-0079]. Therefore, based on Tomita's teaching, it would have been obvious to a person of ordinary skill in the art to display the two or more multimedia contents in two or more content layers wherein the two or more content layers always overlap each other in totality within a single display area, and wherein the display area for the content layers is not moved or stretched in the x-y plane by users' instruction. The motivation for such combination would have been to display the two or more multimedia contents in greater detail within the limited display area of a mobile terminal with improved user operability.

However, Shen and Tomita do not explicitly teach a transparent widget layer rendered on the display area of the browsing component, the transparent widget layer being completely transparent within the display area until activated by a user, the transparent widget layer used to independently, interactively and continuously adjust the degree of transparency of the two or more content layers via an input device, wherein transparency values for the two or more content layers comprise continuous gradient values between 0.0 and 1.0, a content layer having a transparency value of 0.0 being completely transparent and a content

layer having a transparency value of 1.0 being completely opaque. However, Plow also teaches displaying contents in multiple layers wherein the layers are positioned on top of each other, and wherein each of the one or more layers can have a transparency value and setting the transparency value of each of the one or more layers independently, interactively and continuously by depressing and holding a "transparency button 100" (see Fig. 3), i.e., a widget, for adjusting the transparency of a layer using one or more input devices (see c4: 17-30, also Fig. 3-7, column 3-4, and the rejection for claim 1 in previous Office Actions). Like Shen and Tomita, Plow also deals with the problem of displaying information in a limited display space (see background of the invention). Plow resolves this problem by displaying the contents of the overlaying window at a variable degree of transparency based upon a user interaction so that the user can simultaneously view information from windows displayed in multiple layers (abstract). Therefore, it would have been obvious for a person of ordinary skill in the art to combine the teachings of Shen and Tomita with that of Plow to "*independently, interactively and continuously adjust the degree of transparency of the two or more content layers via an input device*" utilized in order to operate a widget for transparency control. The motivation for such combination would have been to allow efficient use of limited display space for simultaneous viewing of multimedia contents displayed in layers (Plow, column 4 lines 17-19) via utilization of a widget using an input device to easily adjust the transparencies of the layers.

However, it is noted that Plow does not teach a *transparent widget layer* as claimed, but only widgets to control the transparency of the respective layers. But Smith

teaches a transparent widget layer rendered on the display area of the browsing component, the transparent widget layer being completely transparent within the display area until activated by a user (see Fig. 3A-3D, 4A-4C, 5A-5B, also column 6; e.g., displaying a control layer, i.e., a widget layer, on top of the content layer wherein the control layer is transparent until triggered by user events). Like Shen, Tomita and Plow, Smith also deals with the problem of displaying information, specially control interfaces, in a limited display space and tries to achieve efficient utilization of such limited display space for optimum and simplified user interaction. Therefore, it would have been obvious to a person of ordinary skill in the art to display the transparency control widgets for the two or more content layers as mentioned in Plow on a transparent widget layer according to Smith as required by the claim. The motivation for such combination would have been to avoid cluttering the limited display space available with user interface controls.

However, Shen, Tomita, Plow and Smith do not explicitly mention wherein transparency values for the two or more content layers comprise continuous gradient values between 0.0 and 1.0, a content layer having a transparency value of 0.0 being completely transparent and a content layer having a transparency value of 1.0 being completely opaque. It is noted that Plow clearly teaches that the transparency values for the two or more content layers comprise continuous gradient values (see c3:53-57). This is considered sufficient enough to make the limitation at least obvious to those skilled in the art. Nevertheless, Frank explicitly teaches wherein transparency values for the two or more content layers comprise continuous gradient values between 0.0 and

1.0, a content layer having a transparency value of 0.0 being completely transparent and a content layer having a transparency value of 1.0 being completely opaque (see Fig. 8, c9:6-8). Therefore it would have been obvious to a person of ordinary skill in the art to combine Shen, Tomita, Plow and Smith with Frank in order to arrive at the present invention, as such combination is likely the product not of innovation but of ordinary skill and common sense.

For claim 2, Shen further teaches that ***the multimedia content database resides on at least one of: an external hard disk drive (HDD), a portable HDD, a wireless HDD, a Bluetooth HDD, and an internal HDD on a resource-rich computing device*** (see [0022], and [0065]).

For claim 3, Shen further teaches that ***the two or more multimedia contents includes one or more of: a video, a video segment, a keyframe, an image, a figure, a drawing, a graph, a picture, a text, and a keyword*** (see [0022], [0024], [0029], [0058] and [0059]).

For claim 8, Shen further teaches that ***the processing component includes one of: a laptop PC, a desktop PC, a server, a workstation, and a mainframe computer*** (see [0022], and [0054]).

For claim 9, Shen further teaches ***the communication network includes one of: Internet, an intranet, a local area network, a wireless network, and a Bluetooth network*** (e.g., Shen teaches that the multimedia contents includes supplied by an external source such as a server to the browsing component (see [0022]). Therefore, presence of a communication network between the external source and the browsing component is implicitly taught in the reference. It would have been obvious for a person of ordinary skill in the art at the time of the invention to use one of: Internet, an intranet, a local area network, a wireless network, and a Bluetooth network as the network of choice).

For claim 12, Shen further teaches that ***the browsing component includes one of: a PDA, a cell phone, a Tablet PC, a Pocket PC, and a mobile device*** (see [0022]).

For claim 18, Shen further teaches that ***the input device includes one of: a pen, and a stylus*** (see [0030]).

For claim 20, Shen further teaches ***further comprising at least one of: segmenting the two or more multimedia contents into one or more video segments; associating one or more keywords with each of the video segments; retrieving the two or more multimedia contents and each of the associated***

video segments with a keyword.

For claim 21, Shen further teaches ***composing the multimedia contents with one or more video segments from one or more source multimedia contents*** (see [0027]-[0030]).

For claims 40, 48, and 52, the combined invention of Shen, Tomita, Plow, Smith and Frank teaches:

wherein the multimedia content database includes at least one video (e.g., Shen mentions, "the video content may be supplied from an internal source (e.g., memory, storage component, etc.) that is locally resident in the video browsing device 100. According to another embodiment, an external source (e.g., a server, etc.) is employed to supply the video content." See [0022] and [0065]), ***the video having a title and a keyframe associated with the video*** (e.g., "According to one embodiment, key-frame (e.g., 101a) based browsing is enabled by XML based meta-data generated for video frames. It should be appreciated that where a server (not shown) is employed to supply the video content from remote memory, the XML based metadata may also be supplied by the server." See [0054]. Also referring to Fig. 7, Shen additionally mentions, "Key-frames can be presented with overlaid text as specified in the "text_cue=" field located in

the embedded metadata. According to one embodiment, the browser presents the text information with a link to the corresponding video segment. Upon the selection of the link, the video segment that corresponds to the link is played back", see [0059]. The overlaid text as specified in the "text_cue" field located in the metadata as mentioned above constitutes a "title". Also see Fig. 8 that illustrates a data structure diagram 800 that shows a video content structure comprising metadata 801, key-frames 803 and video stream 805 as mentioned in [0060]);

wherein the retrieved multimedia content includes one or more videos including each video's associated title and keyframe (as already mentioned in the excerpt from Shen above);

wherein a list of the video titles received from the processing component is rendered within a first content layer of the browser component (as mentioned in the excerpt from Shen above as the "overlaid text") ; ***and***

wherein upon reception of a selection of one of the video titles rendered within the first content layer to view the keyframe associated with the video title, the keyframe being rendered within a second content layer (e.g., as mentioned in the excerpt from Shen above, the browser presents the text information with a link to the corresponding video segment and upon selection of the link, the video segment that corresponds to the link is played back. In elsewhere Shen also mentions, "According to one embodiment, the video content structure shown in FIG. 8 may not include key frames 803 in some embodiments. In

embodiments where the key frames are not included, the key frames may be retrieved on the fly, utilizing the metadata (e.g., offset information, etc.) that is either embedded or mapped to the associated video content. The key frames thus retrieved can thereafter be presented on the system display (e.g., 103) for browsing purposes to a system user." See [0062].

Therefore, based on the above teaching, it would have been obvious to a person skilled in the art to display only the titles of the video contents as links on a first layer of the display at the beginning and then upon selection of a link, display retrieve the corresponding key frame on the fly for presentation on the display. Also recall that Tomita mentions, "The text is displayed in a display layer different from other element object. For example, the text is displayed in a display layer 1, and an element object other than the text is displayed in a display layer 2. The whole image can be provided by displaying the display layer 1 and the display layer 2 in a superimposed state." See [0072]. Based on this teaching it would have been obvious to a person skilled in the art to display the keyframes retrieved thereafter on a second layer and present the display layer 1 and display layer 2 in a superimposed state. The motivation for such combination would have been to display the titles first without displaying the key-frames and thus enabling browsing more contents while requiring less display space at the beginning.

For claim 41, the combined invention of Shen, Tomita, Plow, Smith and Frank teaches:

wherein the default transparency values for both the first content layer and the second content layer are 0.8 (e.g., see Frank, c9:26-30).

For claims 42, 49 and 53, the combined invention of Shen, Tomita, Plow, Smith and Frank teaches:

wherein the video associated with the video title which was selected by the user is played by the browser component (as already discussed in the rejection of claim 1 hereinabove, see also Shen Fig. 4A, 4B, and 5 with accompanying discussion in [0048-0052]); ***and***

wherein the first content layer including the video titles and the second content layer including the keyframe are completely transparent when the selected video is being played in a third content layer (e.g., based on the combination as described in the rejection of claim 40, it would have been obvious to a person skilled in the art to display the playback window 105 (see Shen, Fig. 4A) on the display layer 3 as mentioned by Tomita. As Tomita mentions, "The three display layers, the display layer 1, the display layer 2, and the display layer 3, are superimposed on top of one another, and the user sees only the display layer 3 which is the uppermost display layer." See [0078]).

For claims 43, 50 and 54, the combined invention of Shen, Tomita, Plow, Smith and Frank teaches:

wherein a video controller is activated and displayed within the browser component when the selected video is being played, the video controller being a graphical user interface that allows the user to stop, pause, play and jump to other parts of the video (e.g., see Fig. 4A-4C of Frank teaching a video controller to be activated and displayed for controlling video playback. It would have been obvious to employ such a video controller for the playback window 105 (see Shen, Fig. 4A) if such is not implicitly taught by Shen to begin with in order to control the extended video sequence).

For claim 44, the combined invention of Shen, Tomita, Plow, Smith and Frank substantially teaches all the limitations of the claim except *wherein the keyframe comprises two or more frames overlapping each other in totality, each frame having a transparency value which allows each frame to be visible.* However it would have been obvious to a person of ordinary skill in the art to use the same technique of displaying multiple layers of information using varying degree of transparency for each layer to create the keyframes as composite keyframes made from two or more frames overlapping each other in totality wherein each frame having a transparency value which allows each frame to be visible, as such technique is likely the result not of innovation but of ordinary skill. The motivation for using such composite keyframe would have been to allow the user to have a glimpse of the contents of

multiple sub-level key frames (see Shen, sub-level key frames 101J in Fig. 2D) using one composite keyframe.

For claims 51 and 55, the combined invention of Shen, Tomita, Plow, Smith and Frank substantially teaches all the limitations except for *receiving user input to adjust the transparency values of the first content layer and the second content layer using the input device on the widget layer, wherein the transparency values for the first content layer can be adjusted by making a horizontal gesture over the widget layer using the input device and the transparency values for the second content layer can be adjusted by making a vertical gesture over the widget layer using the input device.*

The Examiner takes Official Notice that gesture based functionality was well known in the art at the time of the invention. Therefore it would have been obvious for a person of ordinary skill in the art to employ gesture based functionality in order to adjust the transparency values of the first and second layers in the manner claimed. The motivation for such modification would have been to simplify adjusting the transparency values for the layers as it was well-known that gesture based control technique is fast and user friendly.

Claims 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shen, Tomita, Plow, Smith and Frank as applied to claim 29 above, and further in view of Takata et al. (EP 0990998 A2) hereinafter Takata.

For claim 30, Shen further teaches *instructions that when executed cause the system to:*

segment the two or more multimedia contents into one or more video segments (see [0023],[0028],[0029] and [0059]);

Shen, Tomita, Plow, Smith and Frank do not teach:

associate one or more keywords with each of the video segments;
retrieve the two or more multimedia contents and each of the video segments with a keyword.

But Takata teaches an image search apparatus and method that acquires associative words in relation to an input query word, and makes a keyword search of image information in a multimedia database on the basis of the obtained associative words and input query word (abstract and summary of the invention). Therefore, it would have been obvious for a person of ordinary skill in the art to combine the teachings of Shen, Tomita, Plow, Smith and Frank with that of Takata to arrive at the present invention. The motivation for the combination would have been to manage a large collection of multimedia contents and retrieve the desired multimedia contents efficiently and accurately (Takata, [0009]).

For claim 31, Shen further teaches, ***compose the multimedia contents with one or more video segments from one or more source multimedia contents*** (see [0027]-[0030]).

Claims 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shen, Tomita, Plow, Smith and Frank as applied to claim 40 above, and further in view of Takata and Doner et al. (US 5,598,557) hereinafter Doner.

For claim 45, the combined invention of Shen, Tomita, Plow, Smith, Frank, and Takata teaches:

wherein the videos received by the browser component include one or more video segments (see Shen: [0023],[0028],[0029] and [0059]);

wherein keywords are associated with each video segment (as discussed in the obviousness rejection of claim 30 hereinabove in view of Takata); ***and***

wherein the browsing component includes:

a graphical representation of each segment of the video associated with the video title which was selected by the user (e.g., the keyframes 101 or 101J as illustrated in Fig. 2D in Shen);

Shen, Tomita, Plow, Smith, Frank, and Takata do not teach:

a bar within each graphical representation, the height of the bar indicating the relevance of the associated video segment to the query; and

a text box which displays the keywords associated with the video segments.

However, Doner teaches a bar within each graphical representation of a search result item, the height of the bar indicating the relevance of the associated search result item to the query (see Fig. 4, and c5:34-64). Therefore, it would have been obvious to a person of ordinary skill in the art to incorporate a relevancy bar within each graphical representation. The motivation would have been to indicate the relevancy of the associated video segment to the query. As for the text box displaying the keywords associated with the video segments, such modification would have been likely a result not of innovation but of ordinary skill and common sense.

For claim 46, the limitations of the claim is similar to claim 42 and thus rejected under the same rationale as claim 42 discussed hereinabove.

For claim 47, the combined invention of Shen, Tomita, Plow, Smith, Frank, and Takata substantially teaches all the limitations of the claim except:

wherein the selected video includes video segments obtained from different source videos;

wherein each graphical representation includes a graphical indicator when the source video is present within the multimedia content database; and

wherein the source video is displayed within the browser component upon selection of the associated graphical indicator.

The Examiner takes Official Notice that composing a video content by incorporating video segments obtained from different source videos was a well-known knowledge in the art at the time of the invention. Therefore, it would have been obvious to a person skilled in the art at the time of the invention to store a video content comprising video segments obtained from different source videos in the multimedia database and modify the browser component provided by Shen to allow displaying the source videos in the manner claimed, as such modification is likely the product not of innovation but of ordinary skill and common sense.

Response to Arguments

The Examiner acknowledges and appreciates the Amendment filed on 02/07/2008. Applicant's arguments with respect to claims 1-3, 8-9, 11-12, 18-22, 29-32, and 40-55 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RASHEDUL HASSAN whose telephone number is (571)272-9481. The examiner can normally be reached on M-F 7:30AM - 4PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2179

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rashedul Hassan/
Examiner, Art Unit 2179

/Weilun Lo/
Supervisory Patent Examiner, Art Unit 2179